



**THE PRODUCT SAFETY STANDARDS (PEDAL BICYCLES)
REGULATIONS 1991**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 14th day of October 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 30 of the Fair Trading Act 1986, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Minister of Consumer Affairs, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Product Safety Standards (Pedal Bicycles) Regulations 1991.

(2) These regulations shall come into force on the 1st day of May 1992.

2. Meaning of “pedal bicycle”—In these regulations “pedal bicycle” means a pedal bicycle designed or intended for normal road use, whether or not it is also designed or intended for any other use; and includes any such bicycle in a partially assembled condition; but does not include a bicycle having a wheel base of less than 640 mm.

3. Australian Standard for pedal bicycles for normal road use—Safety requirements (AS 1927–1989) declared to be product safety standard for pedal bicycles for normal road use—Australian

Standard—Pedal bicycles for normal road use—Safety requirements (AS 1927–1989) prescribed by the Standards Association of Australia on the 9th day of March 1989 with the variations specified in the Schedule to these regulations is hereby declared to be a product safety standard for pedal bicycles for the purposes of section 29 of the Fair Trading Act 1986.

SCHEDULE

Reg. 3

VARIATIONS TO AUSTRALIAN STANDARD FOR PEDAL BICYCLES FOR NORMAL ROAD USE—SAFETY REQUIREMENTS (AS 1927–1989)

Provision	Variation
1.2 ..	By omitting this provision, and substituting the following provision: “1.2 APPLICATION. All bicycles offered for supply to which this standard applies are required to comply with the requirements specified in Section 1, the safety aspects of the design specified in Section 2, and the safety performance requirements specified in Section 3. In addition, some individual components and assemblies shall comply with the requirements specified in Section 4.”
1.3 ..	By omitting this provision.
1.4.4 ..	By omitting paragraph (f).
1.5 ..	By omitting this provision, and substituting the following provision: “1.5 MARKING. The frames of pedal bicycles to which this standard applies shall be permanently and legibly marked with the identification number of the pedal bicycle.”
1.6 ..	By omitting this provision (including clauses 1.6.1 to 1.6.5), and substituting the following provision: “1.6 LABELLING. Where a bicycle is supplied or offered for supply, or advertised for supply in the form of components for assembly or in a partially assembled state, the parts must be accompanied by a written statement, or the packaging in which the parts are contained must be labelled with a label, as the case may be, in the following terms: “WARNING: In the interests of safety it is recommended that you have this cycle assembled by a skilled cycle mechanic.” The lettering of the word “WARNING” shall be in block capitals at least 20 mm in height and the other words shall be in lettering at least 10 mm in height.”
2.1 ..	By omitting the word “sale”, and substituting the word “supply”.
2.8.1 ..	By omitting the word “positive”, and substituting the word “secure”.
2.8.4 ..	By omitting this clause and the note thereto.

SCHEDULE—*continued*VARIATIONS TO AUSTRALIAN STANDARD FOR PEDAL BICYCLES FOR NORMAL
ROAD USE—SAFETY REQUIREMENTS (AS 1927-1989)—*continued*

Provision	Variation
2.9.1 ..	By omitting this clause (including subclauses 2.9.1.1 and 2.9.1.2), and substituting the following clause: “2.9.1. Chainguard. Children’s bicycles shall be equipped with a chainguard shielding the upper junction of the chain and chainwheel (drive sprocket) to prevent the entrapment of clothing or body parts. Chainguard brackets shall be of a substantial material to ensure that the chainguard is held in a firm or stable position.”
2.15 ..	By omitting this provision (including clauses 2.15.1 to 2.15.5), and substituting the following provision: “2.15 LIGHTING AND REFLECTIVE SURFACES. Lights and reflectors fitted to the bicycle must comply with the requirements prescribed by the Traffic Regulations 1976.”
2.16 ..	By omitting this provision.
3.1 ..	By omitting the word “sale”, and substituting the word “supply”.
4.1 ..	By omitting the word “sale”, and substituting the word “supply”.
4.6 ..	By omitting this provision.
Appendix A	By omitting subparagraph (iii) of paragraph (b), and substituting the following subparagraph: “(iii) Recommended tyre pressure, in kilopascals or, if the recommended tyre pressure is stated in units other than kilopascals, the equivalent pressure stated in kilopascals or a conversion table showing the kilopascal equivalents for recommended tyre pressures stated in units other than kilopascals.”

DIANE WILDERSPIN,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 May 1992, prescribe a product safety standard for pedal bicycles. The standard applies to pedal bicycles (including pedal bicycles in a partially assembled state) designed or intended for normal road use, whether or not such bicycles are also designed or intended for any other type of use. It does not, however, apply to bicycles with a wheel base of less than 640 mm.

The regulations declare Australian Standard—Pedal bicycles for normal road use—Safety requirements (AS 1927–1989), as varied in the manner set out in the Schedule to the regulations, to be a product safety standard for such bicycles.

It is an offence under section 40 of the Fair Trading Act 1986 to supply, or offer to supply, or advertise to supply goods in respect of which a product safety standard has been prescribed unless the goods comply with that standard.

Section 32 of the Fair Trading Act 1986 empowers the Minister of Consumer Affairs, in the case of goods that do not comply with a product safety standard, to require the supplier to recall the goods, or disclose to the public information relating to them, or repair or replace the goods or refund the price of them.

In addition, that Act authorises the granting of injunctions, and specifies other remedies that may be obtained, against persons who contravene Part III of the Act.

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These regulations are administered in the Ministry of Consumer Affairs.